

LFV:FJS/lks
97-1

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

NIGHT BOX

CLARENCE MADDOX
CLERK, USDC / SDFL / MIA

HENRY NARANJO and
MARLENE RAMIREZ,

CASE NO. 00-6022-CIV-LENARD
Magistrate Judge Turnoff

Plaintiffs,

v.

STEPHEN BYRON SMITH, and
PALMER JOHNSON, INC.,

Defendants.

**AGREED MOTION FOR CONTINUANCE OF
SETTLEMENT CONFERENCE**

COME NOW, the Defendant, PALMER JOHNSON, INC., by and through its undersigned attorneys, and files this its Motion for Continuance of Settlement Conference and in support thereof states as follows:

1. That pursuant to the parties' earlier Agreed Motion to Continue Settlement Conference, the Court re-scheduled the Settlement Conference to June 26, 2001. However, the Honorable Judge Jordan recently approved the parties' Motion to Continue the Mediation, which has been scheduled for August 24, 2001.

2. Moreover, the Court recently granted the parties' Joint Motion to Add Tom Fexas as a Third Party Defendant, and Mr. Fexas will not be available to participate in this settlement conference, although he would probably be available for the August date.

3. Therefore, based on the above, the Settlement Conference scheduled for June 26, 2001, would be premature and not as fruitful as the upcoming mediation concerning

93/08

CASE NO. 00-6022-CIV-LENARD
Magistrate Judge Turnoff

Tom Fexas Yacht Designs, Inc., entering into the suit, as well as the additional discovery that could be done between now and the time of the mediation, which would further educate the parties as to the possibilities of amicably resolving this claim.

4. Therefore Palmer Johnson requests the Magistrate to reschedule the Settlement Conference until after the mediation has been concluded, and all parties agree to this matter.


WHEREFORE, Palmer Johnson respectfully requests that this Court enter an order granting this motion and continue the Settlement Conference until after the Mediation.

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true and correct copy of the foregoing motion has been furnished by mail this **20th** day of June, 2001 to: **Manuel Valdes, Esquire**, Law Offices of Manuel Valdes, Attorneys for Plaintiffs, 910 Madrid Street, Coral Gables, Florida 33134; **F. David Famulari, Esquire**, Co-Counsel for Plaintiffs, Blanck & Perry, P.A., 5730 SW 74th St., Suite 700, Miami, FL 33143; **John D. Kallen, Esquire**, Badiak, Will & Kallen, Attorneys for Stephen Byron Smith, 17071 West Dixie Highway, North Miami Beach, Florida 33160; and **David L. Weber, Esquire**, Counsel for Defendant, Pinkert Law Firm LLP, 454 Kentucky Street, P.O. Box 89, Sturgeon Bay, WI 54235-0089.

VALLE & CRAIG, P.A.
Co-Counsel for Defendant,
PALMER JOHNSON, INC.
Dadeland Centre, Suite 1000
9155 South Dadeland Boulevard
Miami, Florida 33156
Telephone: (305) 373-2888
Fax: (305) 373-2889

By: _____


LAURENCE F. VALLE
Florida Bar No. 121382
FRANK J. SIOLI
Florida Bar No. 009652